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SUBJECT: LEBANON TRIBUNAL: MANAGEMENT COMMITTEE TACKLES  
KEY ISSUES

REF: A. USUN 198

[1](#)B. USUN/IO EMAIL (WILCOX/REINEMEYER) 03/06/08

[1](#)C. USUN/IO EMAIL (WILCOX/REINEMEYER) 03/07/08

[1](#)D. USUN 171

[1](#)E. STATE 1070

[1](#)F. USUN/IO EMAIL (WILCOX/REINEMEYER) 12/11/07

[1](#)G. USUN/IO EMAIL (WILCOX/REINEMEYER) 12/07/07

[1](#)1. (SBU) BEGIN SUMMARY: The UN's efforts to make the Special Tribunal for Lebanon operational continue to move forward, with the Management Committee's adoption of terms and conditions of service for the judges of the Tribunal and decision in principle on the terms and conditions of service for staff at its March 6 meeting. (Committee members' discussions concerning other issues relating to the judges will be reported septel.) The UN provided the Committee with additional details on proposed costs associated with building a courtroom and ten holding cells, installing additional security measures, equipping the courtroom with information technology, and otherwise refurbishing the building the Dutch government is providing for the Tribunal. Assistant Secretary-General for Legal Affairs Larry Johnson also

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reported that the Secretary-General's appointment of the Registrar is "imminent," and, on the margins of the meeting, the UN updated USUN on contributions to the Tribunal. END  
SUMMARY.

Terms and Conditions of Service for Judges, Staff  
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[1](#)2. (SBU) On March 6, the Management Committee for the Special Tribunal for Lebanon adopted terms and conditions of service for the judges of the Tribunal (refs A and B). Among other things, the judges' salaries would take into account decisions of the UN General Assembly relating to other international tribunals and courts. As such, in line with the revised annual salary system established by GA resolution 61/262 (2005), applicable to permanent judges of the International Court of Justice and International Criminal Tribunal for Yugoslavia (ICTY) who will begin new terms of office after January 1, 2007, the judges would receive base salaries of USD 136,130 per year (or USD 220,939 with the post adjustment). The judges also would be entitled to benefits including an education grant equivalent to that of UN officials, payment of travel expenses and subsistence allowance, and annual and sick leave. For more on the appointment of judges, see septel.

[1](#)3. (SBU) Committee members also agreed in principle that the terms and conditions of staff would follow the third of four models the UN had proposed (refs D-G), but sought additional

information on the costs of providing pension benefits to staff, as Dutch law requires. UN Office of Legal Affairs consultant Robin Vincent and UN human resources experts said the UN is proposing to satisfy the Dutch social security requirements by having the Tribunal join the UN Joint Staff Pension Fund (ref D). Doing so would have the advantage of facilitating the Tribunal's absorption of staff members of the International Independent Investigation Commission (UNIIIC), who are already covered by the UN Joint Staff Pension Fund. Although the Tribunal could satisfy Dutch law in another way, such as by contracting with a company to set up a comparable system, UN representatives noted that doing so was unlikely to reduce costs. For instance, the Organization for the Prevention of Chemical Weapons has used an outside company to satisfy Dutch legal requirements, but has found that mechanism to be costly and cumbersome.

Registrar  
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14. (SBU) Johnson advised the Committee that the Secretary-General's appointment of the Registrar is

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"imminent" and should be announced in the next few days.

Comment: Appointment of the Registrar will mark a significant milestone, since among the Registrar's responsibilities will be tasks such as opening up a separate Tribunal account and directing the construction/refurbishment work on the building that will house the Tribunal. End Comment.

Building  
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15. (SBU) Vincent reported that Committee members' representatives in The Hague had toured the future Tribunal building on March 6. The Legal Adviser and Management Counselor from Embassy The Hague toured the premises and will

USUN NEW Y 00000220 002 OF 002

be reporting on the visit separately. Vincent has arranged for German construction/budgetary experts to tour the building next week so they can assess the proposals for refurbishing the building. Vincent also provided updated cost breakdowns on the construction/refurbishment package (ref C).

Contributions  
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16. (SBU) OLA has advised USUN that its records show that the UN has received new contributions to the Tribunal from France (USD 1,925,300) and Hungary (USD 10,000) and that Sweden has pledged USD 156,494. As of March 6, OLA's figures indicate that the UN has USD 29.4 million in hand and USD 16.3 million in pledges. That figure is almost equal to the USD 50 million that the UN estimates the Tribunal will need for its first year and start-up costs. Separately, OLA has advised that it has received indications from "sources outside New York" that the United Arab Emirates (UAE) would contribute USD 5 million (ref C), and the UN Office of the Controller advised USUN that it received a letter from Kuwait earlier this week, pledging to contribute USD 5 million. The UN is following up with the missions of Kuwait and the UAE concerning their planned contributions.

Next Meeting  
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17. (SBU) The Committee will meet on March 13 to make a final decision on the terms and conditions of service for staff. USUN expects the Committee will decide upon the proposed package for refurbishing the Tribunal building and installing security equipment and information technology for the courtroom. The package is estimated to cost USD 13.5 million.

